

Remarks

This is in response to the second non-final Office Action mailed February 22, 2006, which allowed claims 1-3, 5-9, 11, 17, 19 and 25-28, and provided a non-final rejection of claims 29-32.

The first Office Action for this case was mailed June 21, 2004, and the Applicant filed a Response thereto on September 21, 2004. Unfortunately, this Response appears to have been misplaced by the Office.

The Examiner kindly suggested that a duplicate copy of the 9/21/04 Response be faxed to him directly. The Applicant forwarded a duplicate copy of the 9/21/04 Response, along with the USPTO Facsimile Confirmation Auto-Reply, to the Examiner on December 6, 2005. The Applicant's Attorney thanks the Examiner for his assistance in this matter.

Rejection of Claims Under 35 U.S.C. §103(a)

Claims 29-32 were rejected as being obvious over U.S. Patent No. 6,683,744 to Takano et al. ("Takano '744") in view of U.S. Published Patent Application No. 2002/0054458A1 to Subrahmanyam ("Subrahmanyam '458"). This rejection is respectfully traversed.

Subrahmanyam '458 was published on May 9, 2002, after the filing date of the present application. Both Subrahmanyam '458 and the present application are commonly assigned to a common assignee, Seagate Technology LLC, and an obligation of assignment thereto existed at the time of invention for these respective cases. The respective cases further have different inventive entities.

Subrahmanyam '458 thus does not appear to be not available for consideration as prior art to the present application under 35 U.S.C. §103(a) due to the provisions of §103(c). Reconsideration and withdrawal of the rejection of claims 25-29 under §103(a) are respectfully requested on this basis.

Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 1-3, 5-9, 11, 17, 19 and 25-28 by the Examiner.

Conclusion

This is intended to be a complete response to the second non-final Office Action mailed February 22, 2006. The Applicant respectfully requests reconsideration of the application and allowance of all of the claims therein.

Should any questions arise concerning this response, the Examiner is invited to contact the below signed attorney.

Respectfully submitted,

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